

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ladosci et al.
Serial No.: 09/709,233
For: HEALTH AND LIFE EXPECTANCY MANAGEMENT SYSTEM
Filed: November 9, 2000
Examiner: Alexander G. Kalinowski
Art Unit: 3626
Confirmation No.: 3087
Customer No.: 27,623
Attorney Docket No.: 158.7019USU

RESPONSE TO FINAL OFFICE ACTION

BOX AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed January 19, 2005 (the "Action") in connection with the above-identified application, Applicants submit the following amendments and remarks and request reconsideration of this application. Applicants also submit a Petition for the Extension of Time for 2 month(s) from April 19, 2004 to and including June 19, 2004, and an Amendment Fee Transmittal.

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01 FC:2202 In this Response:

A LISTING OF THE CLAIMS including claim amendments being presented herewith begins on page 2.

The REMARKS/ARGUMENTS begin on page 6.

The CONCLUSTION ends on page 10.


remote in time" and "does not provide the level of information needed". See, e.g., Summerell at col. 1, lines 43-65. Accordingly, since Summerell does not disclose life expectancy modeling, the Examiner relies on this reference only for storing selected health events and recommending goals and incentives. Again, the Summerell reference also does not disclose or teach life expectancy models generally, or patient-specific LEP models specifically, or methods of creating such models.

Finally, Ballantyne discloses only a secure service distribution system that can be used also for medical services, and Examiner relies on Ballantyne only for such a disclosure. See, e.g., Ballantyne, Abstract. Ballantyne also does not disclose or teach a patient-specific LEP model or methods of creating one.

In conclusion, the combination of Kendrick, Minturn, Summerell, and Ballantyne does not disclose or teach the limitations of a patient-specific LEP model or methods of creating one that are recited in all the independent claims and inherited by all the dependent claims. Therefore, these references do not establish a *prima facie* case of obviousness, and withdrawal of the instant rejection is respectfully requested.

6/20/05
Date

Respectfully submitted,



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